

AMENDMENT TO THE DRAWINGS

The attached Replacement Sheets of drawings include FIGS. 1 and 3-12. These Replacement Sheets replace the original sheets including FIGS. 1 and 3-12. The replacement drawings provide legible versions of the drawings originally disclosed.

Attachment: Replacement Sheets (11)

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-5, 7, 9-13, 15, 21, 23, 27-41, 43, 45-50, 54-60, 62-70, 80-89, 91-93, and 95-120 are presently pending in the present application. Claims 1, 7, 9, 11, 13, 15, 21, 23, 27-31, 33-41, 43, 45-46, 48-50, 54-60, 62-67, 69-70, 80-83, 85-86, 88-89, and 91-93 have been amended, claims 6, 8, 14, 16-20, 22, 24-26, 42, 44, 51-53, 61, 71-79, 90, and 94 have been canceled without prejudice or disclaimer, and claims 95-120 have been added by way of the present Amendment. No new matter is introduced by this amendment.

In the Office Action, the abstract was objected to for a minor informality; the drawings were objected to under 37 CFR §1.84(m); the specification was objected to for minor informalities; claims 1-94 were rejected under 35 U.S.C. §112, second paragraph; and claims 1-94 were rejected under 35 U.S.C. §102(e) as being anticipated by *Larson* (U.S. Patent No. 7,209,479).

Regarding the objection to the abstract, a new Abstract has been added that is clear. The new Abstract is based upon amended claim 1. Accordingly, the Applicants respectfully request the withdrawal of the objection to the abstract.

Regarding the objection to the drawings under 37 CFR §1.84(m), submitted concurrently herewith are Replacement Sheets that include clearer versions of Figures 1 and 3-12 to address the objections. The Replacement Sheets remove any ambiguity created by the shaded portions. The darkened areas appear to stem from successive photocopying degradation and were not present on the original drawings of the priority filings. The drawing submissions thus do not add any new matter, and are by way of clarification only. Accordingly, Applicants respectfully request the withdrawal of the objection to the drawings.

Regarding the objection to the specification, the Summary of the Invention section of the specification has been shortened and amended to correspond to the independent claims. Accordingly, Applicants respectfully request the withdrawal of the objection to the specification.

Regarding the rejection of claims 1-94 under 35 U.S.C. §112, second paragraph, the Office Action rejects these claims as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action generally indicated that the claims are unclear, and specifically required clarification of the terms “contacts,” “entities,” and “interrelationship context information.” The claims and the written description have been amended to address the indefiniteness rejection raised in the Official Action.

In overview, the claims have been amended to harmonize the terminology of the claims and description, amend independent claim 1 to incorporate the physical system components from claim 6, add independent system claims 31, 97, and 99 commensurate in scope with embodiments described in the specification, add/modify independent method claims 106, 117, 119, and 120 in parallel with the system claims but which are recited using method terminology, and add independent claim 114 directed to a social network application implemented with a social network system.

The term “entities” is well defined in the specification and claim 2, and as such is the broadest term used to denote individuals or organizations involved with the system, method, and application. Some clarity issues arise from the terminology used for the system’s individual users and “contacts,” both of whom are entities. Therefore, in order to clarify this terminology, the term “user” denoting a system user has been updated throughout the specification and claims to be a “user entity.”

Further possible ambiguity may arise from the usage of the term “contacts” as both a noun and adjective. The usage of “a contact/contacts” had been rationalized to denote “entities” who have become “connected” to a user entity. Amended claim 1 (and the corresponding description thereof) specifically defines a “contact.” Thus, the term is an attribute intrinsically defined with respect to the relationship of the “contact” to another entity, i.e., a user entity.

A given entity may thus also be both a “user entity,” and a “contact” (including a “direct contact” and/or an “indirect contact”), depending on their respective relationship with another entity.

The phrase “interrelationship context information” is, in its simplest form, simply a self-explanatory phrase denoting information providing some form of context to an interrelationship. Moreover, the interrelationship is specifically defined in amended claim 1 as being “associated with a connection between at least two contacts and/or between a contact and said user.”

By way of further clarification, the specification as amended describes such interrelationship context information in the following manner:

“...interrelationship context information includes a connection factor indicative of the separation between entity contact and the user entity, and optionally also the separation between contacts in said user entity's social network” (page 11, lines 21-23) and

“[t]he interrelationship context information optionally includes details of one or more entity attributes. Therefore, in addition to the user's knowledge that another entity is a direct contact (i.e. there is no intermediary between the entity and the user entity) or knowledge of the connections via which the entity is indirectly known/connected to the user (i.e. the connection factor), further interrelationship context information may be available via details of any corresponding entity attributes made available to the user” (page 12, lines 1-6).

Page 11, lines 12-13, also notes that “[p]referably, said system includes for each entity one or more entity attributes, including at least one identifying characteristic.”

It is submitted therefore the meaning and scope of the term is neither vague nor indefinite. Nevertheless, to aid clarity and advancement of the examination, the following summarizing text was added before page 12, line 7:

“It is thus axiomatic that said interrelationship context information self-explanatorily provides information about the context of the interrelationship between a connection between at least two contacts and/or between a contact and said user. More specifically, and in summary of the above, said interrelationship context information includes at least one:

entity attribute;
entity identifying characteristic; and/or
a connection factor indicative of the separation between two contacts
and/or between a contact and the user.”

Since the drafting of the present application, the terminology “social network” has attained contemporary widespread recognition for systems and methods such as the present invention directed specifically to such network applications. The specification described the present invention using the terminology a “unique, private, personal network” (the significance of these terms is more fully discussed below), as well as using the phrase “social network” in its correct sense in the application.

However, the Applicants have further clarified the description in order to avoid potential misleading comparisons with Virtual Private Networks (VPN). Consequently, “unique, private, personal network” has been amended in claim 1 and elsewhere to “...virtual, unique, private, personal, social network.” Such a modification does not add any new material; but rather it

simply describes the network in the appropriate vernacular and using terminology in the original disclosure.

The system claims have been amended to recite structural components, and not merely a preamble. Additionally, the method claims set forth steps of the method, and not merely a preamble. The amended claims clearly set forth structures and steps that are not merely descriptive, but rather recite positive inventive limitations that are clear and definite. Accordingly, the Applicants respectfully request the withdrawal of the indefiniteness rejection.

Regarding the rejection of claims 1-94 under 35 U.S.C. §102(e) as being anticipated by *Larson*, Applicants respectfully request the withdrawal of the anticipation rejection for the reasons set forth below.

MPEP §2131 notes that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Furthermore, MPEP §2131 notes that in order to establish anticipation “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” As will be demonstrated below, *Larson* clearly does not meet each and every limitation of independent claims 1, 31, 97, 99, 106, 114, 117, 119, and 120.

Independent claims 1, 31, 97, 99, 106, 114, 117, 119, and 120 recite a system, method or application that is configured to provide “each user entity with **a virtual, unique, private, personal, social network**” “formed from connections between contacts, said contacts being entities connected directly or indirectly to a user entity” in combination with other feature recited therein. The Applicants submit that the applied art does not disclose such features.

The Applicants respectfully submit that the combined terms “unique, private, personal,” which are used to describe the term “network” in the claims, are not merely a preamble, but in fact capture a novel and inventive capability, not present in the applied art. This point was

successfully traversed during the PCT examination process. To fully appreciate the resultant significance over the art of the present invention described by these terms, it is expedient to consider the terms individually and the issues raised in the PCT examination.

Regarding the issue of uniqueness, several previously cited documents, including the currently cited *Larson*, initially appear to provide a restricted network/database. However, *Larson* creates a Virtual Private network (VPN) between a plurality of requesting devices, which, after the authenticating administrations is accomplished provides each of the accepted devices with precisely the same network as the other devices, i.e., a common membership. In contrast, the present invention provides each participant with a “unique” network as it is based upon connections between contacts of that individual user entity. No two user entities will possess the same network of connections, or interrelationships.

This distinction is readily visualized by reference to Figure 11 in which a plurality of individual entities are represented with connections to other individual entities denoting that the mutually connected entities are “contacts.” In such an implementation, individuals become connected by being invited to join each other’s networks. It may be seen that if a user entity’s “unique, private ... network” is considered to comprise those entities who are connected to the user entity, it follows that each user entity will possess a unique social network that differs even from those entities to whom they are currently connected.

This is in direct contrast to the cited *Larson* reference, which creates a VPN for each eligible “device” which produces a network for each device that is neither unique, nor private from the other VPN member devices. In fact, such a social network driven desire for user-controllable privacy in a network mirroring the social connections of the user is contrary to the commercial needs of a large organisation seeking to establish their own secure VPN for members across the an open network such as the internet.

As described in the present application, the same concept of unique private networks extends beyond “direct contacts” to indirect contacts, i.e. those connected to the user entity by one or more intermediate contacts (e.g., friends of friends (i.e. 2nd degree network) and friends of friends of friends (3rd degree networks) and so forth). Again, each individual will have its own unique private network at the 2nd, 3rd, 4th, degrees etc further distinguishing the uniqueness of each user entity's social network.

The privacy of each user entity's social network is a further key component in distinguishing the novel and inventive aspects of the present invention over the art. The ability of the user to control the visibility of their network to others, i.e. the degree of privacy, is paramount in permitting user's to be protected from unwanted communications from unsolicited sources.

Although an individual VPN device in *Larson* may initiate a new VPN, the device has no control thereafter over the number or identity of other devices having the correct credentials from joining the VPN. As the group membership is identical for all participating devices, it cannot be considered private or unique. In contrast, each user entity of the present invention has a unique private personal social network, and thus they have full control over who they are connected to and who may connect to their network.

As the properties of a social network being unique, private, personal is common to each independent claim, it is submitted that *Larson* does not provide an anticipation of, nor render obvious, any of the independent claims as amended. Accordingly, Applicants respectfully request the withdrawal of the anticipation rejection of independent claims 1, 31, 97, 99, 106, 114, 117, 119, and 120.

The dependent claims are considered allowable for the reasons advanced for the independent claim from which they respectively depend. These claims are further considered

allowable as they recite other features of the invention that are neither disclosed nor suggested by the applied references when those features are considered within the context of their respective independent claim.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9957 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

July 24, 2008
Date

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